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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,683	07/31/2003	Yi-Chen Chen	4423-0122P	7662
2292	7590	10/06/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			KHAIRA, NAVNEET K	
			ART UNIT	PAPER NUMBER
			3754	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Pat

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/630,683	CHEN, YI-CHEN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Navneet Sonia Khaira	3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejection under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Comstock et al (US 5, 183,182).

Referring to claim 1, Comstock et al discloses a liquid soap dispenser (fig 5),  
a stationary base (32, fig 5) with several nail holes (fig 5 shows nail holes with nail on the four corners of the base);

a main body (24) separate from stationary base with a cover (67, fig 5);

a fastener (56, fig 5) located on a bottom of the stationary base (bottom half of 24) for holding said stationary base to said main body;

a concave (cover 67, fig 5) located on top of the stationary base (bottom half of 24);

a blocking board (seen in fig 1, top board above number 28) on top of the concave (cover 67, fig 5), a hold hole (60, fig 5) for holding said stationary base to said main body located on the concave (cover 67);

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the main body being in a box shape (fig 1 defines box-like shape) with a "T" shape in cross-section pillar on back (Fig 4, pillar 36 along with ends 44 and 46), a slot being (slots above 72 in fig 7 which shows the back portion once cartridges are removed) is on the lower portion of the back (fig 7) of the main body (24);

a protruding rib 62, fig 5) located on the back of the cover (fig 4, above 48), a blocking brim (fig 5, surface on which 67 & 24 point) surrounding the cover (67), a lock hole (fig 5, 60) located on the front of the blocking brim (fig 5, surface on which 67 & 24 point), and a lock inside said lock hole. Comstock et al discloses, an alternative embodiment can have a lock with a key instead of snap lock feature (col 2, lines 50-55).

Referring to claim 2, Comstock et al further discloses a protruding hook (lower end of latch 60, fig 5) located on the lower portion of the cover (67, fig 5) for receiving the protruding rib (56).

Referring to claim 3, Comstock et al further discloses an open (78, fig 5) located on top of the holding hole (56, fig 5) on the stationary base (bottom pad 24).

Referring to claim 4, Comstock et al further discloses a spring shape tenon (fig 10) located on top of the fastener (56, fig 5) on the stationary base (bottom part 24).

Referring to claim 5, Comstock et al further discloses a concave area (67, fig 5) on the center of the stationary base (bottom half of 32, fig 5), the nail hole being on

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concave area.

Referring to claim 6, Comstock et al further discloses an inner brim (surface 26, Fig 5) located on the top of the main body (bottom half of 24, fig 5) to fit the inner cover (67).

### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claim one are not persuasive enough due to the original reference, stationary base (32) and main body (24) have been distinguished as separate components in the new grounds of rejection. The cover 67 has a concave inner compartment which is on top of the base. Further, the slanted surface seen in fig 1, top board above number 28, is referred to as the blocking board.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet K. Khaira whose telephone number is 703-305-0860. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mar Y. Michael can be reached on 703-308-2087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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10/02/05

Navneet Sonia Khaira  
Examiner  
Art Unit 3754

A handwritten signature in black ink, appearing to read 'Michael Mar', with a stylized flourish at the end.

MICHAEL MAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700